

In re Appln. of CHEN  
Application No. 10/714,059

#### REMARKS

Applicant has carefully reviewed and considered the Office Action dated September 2, 2004, and the references cited therein. In response, applicant has amended claims 1, 2, 3, 10, and 17 and added new claim 18 to further define the invention. No new matter has been added by way of these amendments. Applicant believes that the application is now in condition for allowance. Accordingly, favorable reconsideration in light of the following remarks is respectfully requested.

Claims 1-5, 8-15, and 17 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,249,603 to Byers. Claims 6-7 and 16 stand rejected under 35 U.S.C. § 103 as being unpatentable over Byers in view of a secondary reference. Claim 17 also stands rejected under 35 U.S.C. § 112 as being indefinite. In response, applicant has amended claims 1, 2, 3, 10, and 17. It is respectfully submitted that those rejections should no longer be applied. Applicant has also added claim 18 to further define the invention.

With respect to amended claim 1, applicant respectfully submits that Byers does not teach or suggest a pressure control valve for controlling two pressure load paths having a neutral position wherein the first and second load paths are blocked and the first and second drain paths are open. Claim 2-16 depend from claim 1 and, thus, contain the same patentable features thereof.

With respect to claim 17, it has been amended to further define the invention and to remove any antecedent basis problems. Byers fails to teach or suggest a pressure control valve for controlling two pressure load paths having a neutral position wherein the first and second load paths are both closed and the first and second discharge paths are both open.

With respect to new claim 18, Byers fails to teach or suggest a pressure control valve for controlling two pressure load paths having a housing, a cage, a spool, a dual proportional actuator, and a spring, wherein moving the spool in the first direction a predetermined distance from the neutral position blocks communication between the second tank port and the second load port, maintains the connection of the first tank port and the first load port, and creates a communication between the primary port and the second load port via a second pressure load path, and moving the spool in the second direction a predetermined distance from the neutral position blocks communication between the first tank port and the first load port, maintains the connection of the second tank port and the second load port, and creates a communication between the primary port and the first load port via a first pressure load path. The secondary references applied in the Office Action do not cure the deficiencies in Byers.

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*Conclusion*

The application is considered to be in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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